



U.S. Army
Southern Regional Environmental Office
REGIONAL REVIEW



September 1999

REGION 4 EDITION

This publication provides current information on environmental actions and events in the Federal Region 4 area (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) that affect U.S. Army activities and operations. Its purpose is to keep Army environmental decision makers, planners and program managers abreast of developments important to their responsibilities. We encourage feedback and welcome suggestions for expanded or improved coverage. Please contact us at U.S. Army Environmental Center, Southern Regional Environmental Office, Attn: SFIM-AEC-SR, 430 Tenth Street N.W. Suite S-206 Atlanta, GA 30318-5768, (404) 347-1570 ext. 275 commercial, (404) 347-1577 fax, or electronically at mgrice@sreo.army.mil. For additional sources of information regarding environmental regulations, please contact the Army Environmental Information System Hotline at 1-800-USA-EVHL or <http://aec.army.mil/>

ANNOUNCEMENTS

4th Annual Joint Services Pollution Prevention/Hazardous Waste Management Conference & Exhibition, December 6-9, 1999: The Annual Joint Services Pollution Prevention Conference and Exhibition Offers:

- A National Forum for Exchanging Ideas
- Success Stories
- Case Histories
- Technologies related to Pollution Prevention
- And, for the first time, Hazardous Waste Management

All this while still retaining a focus on base-level applications. This conference, hosted annually by the Air Force Center for Environmental Excellence, crosses Federal, DoD, Academia and industry boundaries, opening channels for a combined effort to implement the essential pollution prevention and hazardous waste objectives shared by all. This year the conference will be held 6-9 December 1999, at the Henry B. Gonzalez Convention Center in San Antonio, Texas. Next year the conference will return to its original time 21-24 August, 2000. All logistical support is provided by the [National Defense Industrial Association](#). Register [here](#). AFCEE Contacts Ms. Miriam E. Ortiz Phone: (210) 536-3403, (DSN) 240-3403 E-mail: miriam.ortiz@hqafcee.brooks.af.mil.

Architectural Coatings Guide: EPA has issued a book called Small Entity Compliance Guide: National Volatile Organic Compound Emissions Standards for Architectual Coatings. It can be found at <http://www.epa.gov/ttn/uatw/183e/aim/aimpg.html>.

Basic Industrial Waste Reduction Training Course: This course will be taught 15-19 Nov. The goal of the course is to train and enable participants to conduct basic industrial Waste Reduction (WR) and Pollution Prevention (P2) assessments. The training will emphasize source reduction techniques from the industrial point of view (cost savings as well as environmental) for all media: air, solid, water, hazardous, non-hazardous, and energy. The course will also include an opportunity for members to conduct actual P2 assessments during the training. The November training will take place in Austin, TX. Space is limited, but if enough interest is expressed, another training course will be scheduled at a more central location within Region 4 early next year. The training course is sponsored and taught by an EPA Region 4 P2 Program and TVA Process & Prevention Services Team Industrial Waste Reduction Team. The course tuition is \$1,000 and is payable by DD Form 1556 or by federal credit card. For more detailed information or to register, contact Steve Hillenbrand at (423) 632-8489 or sjhillenbrand@tva.gov.

EPA Pay-as-You-Throw Program (PAYT): In communities with pay-as-you-throw programs (also known as unit pricing or variable-rate pricing), instead of paying for garbage services through the tax base or through a fixed monthly fee, households are charged for waste collection based on the amount of trash they throw away. This creates a direct economic incentive for individuals to recycle more and to generate less waste. If you have not heard about the benefits of Pay-As-You-Throw (PAYT) or would like to learn more about how PAYT has dramatically reduced the amount of waste disposed in communities across the country — Check out the tools and info on EPA's new PAYT website at www.epa.gov/payt. The new EPA PAYT website includes numerous tools, factsheets, important PAYT topics and the

latest PAYT research. It also includes a community database section with interactive maps linked to data of over 3400 PAYT communities across the country. EPA hopes that this resource will help those communities that are considering a PAYT program, to design effective and successful programs.

EPA Software for VOCs and HAPs: In the latest Sep-Oct 99 HTIS newsletter on p. 16 there is a note that EPA software (called TANKS) for estimating volatile organic compounds and hazardous air pollutant emissions from storage tanks is available at <http://www.epa.gov/ttn/chief/tanks.html>.

Report about Non-Compliance with Environmental Regulations: The U.S. Environmental Protection Agency (EPA) and the Chemical Manufacturers Association (CMA) have published the "EPA/CMA Root Cause Analysis Pilot Project Report." The report examines the underlying causes of environmental violations in 47 federal civil enforcement cases between 1990 and 1995. Ninety-four percent of the respondents identified multiple causes for single non-compliance events. The leading causes for non-compliance included individual responsibility and lack of awareness of regulatory requirements. The report highlights the role environmental management systems (EMSs) can play in promoting compliance. The report indicates that adjustments by both government and industry could help improve compliance performance. For example, the report suggests that EPA provide technical assistance and compliance assistance tools that better match industry needs. On the industry side, the report states that more emphasis should be placed on developing and maintaining comprehensive, well-integrated and clearly articulated EMSs. The report can be downloaded from the Internet at <http://www.epa.gov/oeca/ccsmd/>. For further information contact: Tracy Back, EPA, (202) 564-7076.

Risk-Screening Environmental Indicators: The U.S. Environmental Protection Agency (EPA) has issued a new tool to compare information about pollution in local communities. The tool, entitled "Risk-Screening Environmental Indicators," employs national data on toxic chemical emissions from EPA's Toxic Release Inventory. More specifically, the tool can be used to compare relative risks from toxic chemicals grouped by categories like cities, states, and industrial facilities; and, based on factors such as: pounds of pollutants released, relative toxicity, population and exposure data. It is important to note that these relative-risk rankings can only be used for comparing one industrial facility to another. The information is not intended for quantifying actual risks posed to public health from any single facility, geographical area or other category. Such comparisons are meant to be helpful only for identifying and prioritizing areas for further research and attention. Additional information is available on the Internet at http://www.epa.gov/opptintr/env_ind/index.html.

Treatment Technologies for Site Cleanup Annual Status Report: The U.S. Environmental Protection Agency (EPA) has published the Ninth Edition of its "Treatment Technologies for Site Cleanup Annual Status Report" The report contains information about treatment technologies used at more than 900 hazardous waste sites. The latest edition has been expanded to include a broad range of treatment technologies such as control and innovative groundwater treatment technologies used at Superfund sites, Resource Conservation and Recovery Act (RCRA) corrective action sites and Department of Defense and Department of Energy sites. Detailed project information is available in a new searchable electronic database, entitled EPA REACH IT. The database can be found on the Internet at <http://www.epareachit.org/>. The report is available on the Internet at <http://clu-in.org/>. Hard copies can be ordered from EPA's National Service Center for Environmental Publications by calling: 1-800-490-9198.

USAEC User's Guides: The USAEC ECAS Team publishes a series of 13 User's Guides, which contain environmental compliance requirements assembled by functional area. Guides assist installation operators to perform self-checks on requirements related to their activity without referring to lengthy assessment protocol documents. Five guides are being updated: Air Emissions, Compliance in the Field, Motor Pools and Vehicle Maintenance Areas, Storage Tanks and POL, and Warehouse, Storage, and Hazardous Waste Facilities. In a related action the contractor volunteered to convert four other guides to DENIX acceptable format. These guides are: Pest Management, Program Management, Reserve Centers, and Special Programs. USAEC has received and accepted five guides in final form as of 9 Jul 99. USAEC sent the accepted guides for posting on DENIX and for printing in a limited number of copies. POC is Charles Harris, 5-1224; ODEP POC is Mr. Martin Elliott, DSN 223-0500. <http://www.denix.osd.mil/denix/DOD/Library/Guides/series.html>.

Water/Wastewater System Management Workshop: AEC, in conjunction with the Army Installation Support Center (ISC), will be sponsoring a workshop to provide training on several products that have been jointly developed to assist installations in the management of their water and wastewater system. These products are: Water Compliance Assessment Protocol, Wastewater Compliance Assessment Protocol, Wellhead Protection Program Development – User Guide and Model Schedule of Services, Cross-Connection Control Program Development – User Guide and Model Schedule of Services. During the workshop training and instruction will be provided on:

- The use of the water and wastewater assessment protocols developed to assess the capability of the water and wastewater systems to meet regulatory requirements based on its capacity, operation and maintenance, and physical condition.

- The key elements/components of cross-connection control and wellhead protection programs.
- The use of the Model Schedule of Services developed to assist personnel at military installations in contracting services to implement a cross-connection control program and develop wellhead protection plans.

The workshop is intended for installation personnel who have responsibilities related to the management of water/wastewater systems and/or implementation of wellhead protection or cross-connection control. The workshop will be held in *Atlanta, GA: 1-4 November, 1999*

RASco, Inc., is coordinating and facilitating these workshops for us. For more information and to register please contact: Hans Graven at 703/643-2952, FAX: 703/497-2905, e-mail: RAScoWS@aol.com. Attendance will be limited. If you have other questions, please call Georgette Myers (410) 436-1203 or Bob Fenlason (703) 806-5201.

Yellow Book: Guide to Environmental Enforcement and Compliance at Federal Facilities: The U.S. Environmental Protection Agency (EPA) has published "The Yellow Book: Guide to Environmental Enforcement and Compliance at Federal Facilities." The publication is intended to be used as a tool to help federal facilities comply with environmental requirements and to explain the compliance and enforcement processes used by EPA and states. The Yellow Book is available on the Internet at <http://es.epa.gov/oeca/fedfac/yellowbk/index.html>.

FEDERAL

Air Emissions Management

EMISSION STANDARDS FOR ARCHITECTURAL COATINGS The U.S. Environmental Protection Agency (EPA) has made numerous corrections and clarifications to a 11 September 1998 final rule (63 FR 48848) concerning volatile organic compound (VOC) emissions from architectural coatings. However, the corrections do not change the VOC content limits or the level of health protection for architectural coatings. The final rule was published in the 30 June 1999 *Federal Register* (64 FR 34997). For further information contact: Linda Herring, EPA, Coatings and Consumer Products Group, Emission Standards Division, (919) 541-5358, e-mail: herring.linda@epa.gov.

CONSTRUCTED OR RECONSTRUCTED MAJOR SOURCES The U.S. Environmental Protection Agency (EPA) is providing a longer time period (up to 30 months) during which the EPA Regional Administrator may determine maximum achievable control technology (MACT) emission limitations for permitting authorities that have not established MACT procedures for constructed or reconstructed major sources. The purpose of the action is to ensure that major sources can obtain MACT determinations in jurisdictions where the permitting authorities need extra time to establish procedures to implement CAA section 112(g). The proposed (64 FR 35110) and direct final (64 FR 35029) rules were published in the 30 June 1999 *Federal Register*. For further information contact: Kathy Kaufman, EPA, Information Transfer and Program Integration Division, (919) 541-0102.

CONTROL TECHNIQUES GUIDELINES FOR CONSUMER AND COMMERCIAL PRODUCTS The U.S. Environmental Protection Agency (EPA) has reissued control techniques guidelines (CTG) for the wood furniture coatings, aerospace coatings, and shipbuilding and ship repair coatings consumer and commercial product categories under section 183(e) of the Clean Air Act (Act). The CTGs do not include any binding regulations, but rather define the level of control to be reflected in state regulations for these categories. The notice announcing the reissuance of the CTG was published in the 13 July 1999 *Federal Register* (64 FR 37783). For further information contact: Daniel Brown, EPA, Coatings and Consumer Products Group, Emission Standards Division, (919) 541-5305, e-mail: brown.dan@epa.gov.

NATIONAL EMISSION STANDARDS FOR HALOGENATED SOLVENT CLEANING The U.S. Environmental Protection Agency (EPA) has amended its national emission standard for hazardous air pollutants (NESHAP) for halogenated solvent cleaning operations. The action: (1) permanently exempts nonmajor (or "area") batch cold solvent cleaning machines that use halogenated solvent from the federal operating permit program; and (2) defers federal operating permit requirements until 9 December 1999 for all other nonmajor halogenated solvent cleaning machines. Since state programs are already allowed to exempt/defer such sources from their requirements for title V operating permits, the action will treat halogenated solvent cleaning operations by the federal Operating Permits Program in the same way they are treated by state operating permit programs. Entities affected by this action include stationary air sources that are nonmajor halogenated solvent cleaning machines (degreasers) that are: (1) subject to subpart T of 40 CFR part 63; and (2) subject to the Federal Operating Permits. The direct final rule was published in the 13 July 1999

Federal Register (64 FR 37683). For further information contact: Candace Carraway, EPA, Office of Air Quality Planning and Standards, (919) 541-3189.

NATIONAL EMISSION STANDARDS FOR OFF-SITE WASTE AND RECOVERY OPERATIONS The U.S. Environmental Protection Agency (EPA) has amended the national emission standards for hazardous air pollutants (NESHAP) for off-site waste and recovery operations (OSWRO). The rule applies to facilities that are major sources of hazardous air pollutants (HAP) and manage certain wastes, used oil, or used solvents received from off-site locations. The direct final rule was published in the 20 July 1999 *Federal Register* (64 FR 38950). The effective date is 20 September 1999. For further information contact: Elaine Manning, EPA, Waste and Chemical Processes Group, Emission Standards Division, (919) 541-5499, e-mail: manning.elaine@epa.gov.

STRATEGY TO REDUCE AIR TOXICS The U.S. Environmental Protection Agency (EPA) has published its Integrated Urban Air Toxics Strategy (Strategy) whose purpose is to further reduce toxic air emissions in hundreds of areas across the country, particularly in urban areas. The Strategy is required by the Clean Air Act and provides: (1) a description of the agency's risk reduction goals; (2) a list of 33 hazardous air pollutants (HAPs) judged to pose the greatest potential threat to public health in the largest number of urban areas, including 30 HAPs specifically identified as being emitted from smaller industrial sources known as "area" sources; (3) a list of 13 additional industrial categories which emit a substantial portion of these HAPs, and which are being considered for regulation under section 112(d); (4) a description of actions to reduce toxics from mobile sources and diesel particulate matter (PM); and (5) a discussion of how the EPA will work in partnership with state, local and Tribal governments to monitor air toxic levels and develop plans and actions to reduce toxic air pollution. The notice describing the Strategy was published in the 19 July 1999 *Federal Register* (64 FR 38706). For further information contact: Laura McKelvey, EPA, Office of Air Quality Planning and Standards, (919) 541-5497, e-mail: mckelvey.laura@epa.gov.

Enforcement

CONSOLIDATED RULES OF PRACTICE (CROP) The U.S. Environmental Protection Agency (EPA) has revised its Consolidated Rules of Practice (CROP) which contain the procedures the agency uses to assess administrative penalties, issue compliance or corrective action orders for violations of environmental regulations, and revoke, terminate or suspend certain permits. The revisions will eliminate inconsistencies and uncertainties in administrative enforcement proceedings without compromising the regulated community's right to a fair and impartial hearing. The revisions also include better, easy-to-understand language and provide for a more efficient resolution process. In situations where the new rule would cause substantial injustice in an ongoing case, the presiding officer may continue to apply the old rules. The effective date is 23 August 1999. The final rule was published in the 23 July 1999 *Federal Register* (64 FR 40138). For further information contact: EPA, Scott Garrison, Office of Enforcement and Compliance Assurance, Office of Regulatory Enforcement, (202) 564-4047.

Hazardous Waste Management

HAZARDOUS WASTE LAMPS The U.S. Environmental Protection Agency (EPA) has added hazardous waste lamps (waste lamps that are hazardous due to exhibiting one or more of the characteristics of hazardous waste) to the federal universal waste rule. The action also: (1) clarifies that all hazardous waste lamps fall within the scope of the universal waste rule; and (2) finalized a single definition of "lamp" or "universal waste lamp" rather than having separate definitions for "electric lamp" and "mercury-containing lamp." Mercury-containing lamps include fluorescent, high pressure sodium, mercury vapor, and metal halide lamps. The rule is intended to: (1) minimize releases of mercury to the environment during accumulation and transport; (2) ensure safe handling of such lamps; and (3) keep spent mercury-containing lamps out of municipal waste management facilities (both landfills and solid waste incinerators). The effective date is 6 January 2000. The final rule was published in the 6 July 1999 *Federal Register* (64 FR 36466). For general information contact EPA's RCRA/Superfund/EPCRA/UST Hotline at (800) 424-9346 or (703) 412-9810 in the Washington, D.C. metropolitan area. For technical information contact: Marilyn Goode, EPA, Office of Solid Waste, (703) 308-8800, e-mail: goode.marilyn@epamail.epa.gov.

LAND DISPOSAL RESTRICTIONS MERCURY TREATMENT STANDARDS The U.S. Environmental Protection Agency (EPA) has extended the comment period from 27 July 1999 to 25 October 1999 for a 28 May 1999 advance notice of proposed rulemaking (ANPRM) concerning Land Disposal Restrictions treatment standards for mercury-bearing hazardous wastes (64 FR 28949). The ANPRM requested comment on the agency's waste generation and treatment data for mercury-bearing hazardous waste, as well as on technical and policy issues regarding mercury waste treatment, and potential avenues by which current mercury treatment standards might be revised. The notice announcing the extension of the comment period was published in the 27 July 1999 *Federal Register* (64 FR 40534). For general information contact: EPA's RCRA Hotline, (800) 424-9346 or (703) 412-9810 in the Washington, DC local

calling area. For technical information contact: EPA, Office of Solid Waste- Rita Chow (703) 308-6158 or Josh Lewis (703) 308-7877.

Wastewater Management

GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION The U.S. Environmental Protection Agency (EPA) is proposing to revise several provisions of the agency's General Pretreatment Regulations. The regulations address restrictions on and oversight of industrial users who introduce pollutants into publicly owned treatment works (POTWs). The agency is also proposing to change certain program requirements to be consistent with National Pollutant Discharge Elimination System (NPDES) requirements. The rulemaking would reduce the regulatory burden on industrial users and state and POTW Control Authorities. Comments are due on or before 20 September 1999. The proposed rule was published in the 22 July 1999 *Federal Register* (64 FR 39564). For further information contact: Jeffrey Smith, EPA, Office of Wastewater Management (OWM), Permits Division, (202) 260-5586.

TRANSPORTATION EQUIPMENT CLEANING POINT SOURCE CATEGORY The U.S. Environmental Protection Agency (EPA) has published a notice providing new data submissions concerning the Transportation Equipment Cleaning Point Source Category. The data contained in the notice: (1) presents a summary of data received in comments and an assessment of the usefulness of the data in EPA's analyses; (2) presents new data to support effluent limitations in the Barge/Chemical & Petroleum Subcategory; (3) presents a change from the mass-based limits format in a 25 June 1998 proposed rule (63 FR 34685); (4) presents a modified subcategorization approach; (5) reviews technology options considered for regulation; and (6) discusses other specific issues raised by commenters including: (a) selection of pollutants proposed for regulation, (b) the costs associated with the regulation, (c) a low flow exclusion, and (d) the applicability of the rule. Transportation equipment cleaning (TEC) facilities are defined as facilities that generate wastewater from cleaning the interior of tank trucks, closed-top hopper trucks, rail tank cars, closed-top hopper rail cars, intermodal tank containers, inland tank barges, closed-top hopper barges, ocean/sea tankers, and other similar tanks (excluding drums and intermediate bulk containers) used to transport materials or cargoes that come into direct contact with the tank or container interior. Comments are due on or before 20 September 1999. The notice of data availability was published in the 20 July 1999 *Federal Register* (64 FR 38863). For additional technical information contact: John Tinger, (202) 260-4992, e-mail: tinger.john@epa.gov. For economic information contact: George Denning, (202) 260-7374, e-mail: denning.george@epa.gov.

Hazardous Materials Management

TRANSPORTATION OF BATTERIES AND DEVICES THAT CONTAIN BATTERIES Recently, several incidents have occurred in which batteries or other devices that contain batteries have short-circuited or otherwise functioned in such a manner so as to generate heat, smoke, or initiate a fire during transportation. In response, the U.S. Department of Transportation (DOT), Research and Special Programs Administration (RSPA), has issued guidance to reiterate that any battery or electrical device that could create sparks or generate heat may be transported only when adequately protected from such an occurrence. The advisory guidance was published in the 7 July 1999 *Federal Register* (64 FR 36743). For further information contact: Eric Nelson, RSPA, Office of Hazardous Materials Standards, (202) 366-8553.

FLORIDA

Media/Regulatory Area: Water
Announcing Agency: Department of Environmental Protection
Purpose of Notice: The Department is planning to begin positioning itself to takeover the NPDES program currently enforced by the USEPA. The program will affect all industrial facilities with wastewater and stormwater discharge in the State of Florida. The Department's NPDES Stormwater Delegation Technical Advisory Committee met 08/19/99.
Effective Date: NA
Source: Stateside Report September 7, 1999
POC: Jim Bottone 850-488-0784

GEORGIA

Media/Regulatory Area: Water
Announcing Agency: Environmental Protection Division
Purpose of Notice: The Department has re-issued its general discharge permit for construction activities. The permit will impact all construction activities that contain more than 5 acres. The permit:

sets numeric turbidity limits; requires the development and implementation of a comprehensive monitoring plan; requires the development of best management practices to control discharges; and requires buffer zones from the edge of stream banks. The Department held a public hearing 3/10/99 and accepted written comments until 03/12/99. The Department expects the rule to be controversial and delayed by administrative appeals. The last time the Department handled this issue, it was before an Administrative Law Judge for almost two years before it was adopted. The Department is preparing for a similar delay. More than 20 individuals commented at the hearing including developers and environmental groups. The Department adopted the general permit 07/20/99. It will become effective 09/01/99, if the permit is not appealed. GA, general NPDES permit for construction, final, conversation with department staff 03/26/99, department press release.

Effective Date: 1 Sep 99

Source: Stateside Report September 7, 1999

POC: William Falter, 404-656-4887

TENNESSEE

Media/Regulatory Area: Waste

Announcing Agency: Department of Environment and Conservation

Purpose of Notice:

The Department is requesting that public hearings be scheduled for proposed amendments to the Solid Waste rules. The Amendments will: revise all provisions which are conditional on a date that has passed and refer to "new" and "existing" facilities to bring the provision up to date; revise permitting rules; provide a combined hazardous waste and solid waste financial test instrument; restrict liquid waste, medical waste, and municipal solid waste ash; revise the random inspection program records definition; delineate gas migration control monitoring locations; provide covering standards for Class II, III and IV facilities; revise annual reporting of green box collection systems; and provide several housekeeping changes. Public hearings were held 08/24/98, 08/25/98 and 08/31/98. The Department is considering the comments made at the hearings and delaying, slightly, the forward movement of this rule until the Compost rules which are on a similar schedule are final. The reason for this is to allow the compost rule to take effect before related provisions in this rule are changed, i.e., it would be premature to make changes to this rule prior to the compost rule being effective. The Department will seek final approval of this rule at the 4/6/99 board meeting. The rule will probably become effective in Fall 1999. TN, Revised Waste Rules, Requesting a public hearing schedule, Conversation with staff, 06/02/98; 6/11/98 Conversation with staff.

Effective Date: NA

Source: Stateside Report September 7, 1999

POC: Greg Luke, 615-532-0874